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CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
SANTA ANA

UNITED STATES DISTRICT COURT

BY: DVE

CENTRAL DISTRICT OF CALIFORNIA

SHADAB ALIPOUR

Plaintiff,

vs.

United States Department of State

Defendant

Case No.: 24-cv-01931-SB-(PDx)

COMPLAINT

Complaint for Writ of Mandamus

Dated this day of Month, year.

COMPLAINT

Plaintiff, Shadab Alipour, appearing pro se, respectfully submits this Complaint for Writ of Mandamus against the Defendant, United States Department of State, and alleges as follows: Plaintiff, Shadab Alipour, appearing pro se, brings this action seeking a Writ of Mandamus to compel the United States Department of State (the "Defendant") to fulfill its statutory duty regarding the timely adjudication of Plaintiff's Form DS-260, Immigrant Visa Electronic Application. Despite Plaintiff's submission of all required documentation and diligent inquiries into the status of the application, the Defendant has failed to process it within a reasonable timeframe. This delay has caused undue hardship to Plaintiff and their family, who eagerly await reunification under the immigration laws of the United States. Therefore, Plaintiff seeks relief from this Honorable Court through the issuance of a Writ of Mandamus. This Court has subject matter

COMPLAINT - 1

1 jurisdiction over this action pursuant to 28 U.S. Code § 1331, federal question jurisdiction, as the
2 relief sought arises under the laws and regulations governing immigration and visa processing
3 administered by the United States Department of State.

4 Venue is proper in this District because the Defendant's consular office responsible for visa
5 processing, which is the subject of this action, is located within this District. Additionally, the
6 actions giving rise to the complaint, including the submission of visa documentation and the
7 communication with the Defendant regarding the status of the application, occurred within this
8 District. Therefore, this District is the appropriate venue for adjudicating this matter.

9
10 Plaintiff, Shadab Alipour, is a citizen of the United States and a resident of Glendale,
11 California. Defendant, the United States Department of State, is the federal agency responsible for
12 visa processing, including the adjudication of immigrant visa applications filed by U.S. citizens
13 and their immediate family members seeking to immigrate to the United States.

14 Plaintiff, Shadab Alipour, submitted an Immigrant Visa Electronic Application (Form DS-260)
15 on behalf of their spouse, Amin Alikhani, in accordance with the immigration laws of the United
16 States. The application was filed with the United States Department of State. Despite diligent
17 submission of all required documentation and inquiries into the status of the application, the
18 Defendant has failed to adjudicate the application within a reasonable timeframe. The prolonged
19 delay in processing the visa application has caused significant hardship and emotional distress to
20 Plaintiff and their family, who await reunification in the United States. The Defendant's inaction
21 has left Plaintiff with no alternative but to seek relief from this Honorable Court through the
22 issuance of a Writ of Mandamus, compelling the Defendant to fulfill its duty to timely process the
23 visa application. Plaintiff incorporates the preceding paragraphs by reference.

24 The United States Department of State, as the Defendant, has a clear and nondiscretionary duty
25 to timely process immigrant visa applications submitted by U.S. citizens and their immediate
26 family members in accordance with the immigration laws and regulations of the United States.

1 Despite the Plaintiff's compliance with all application requirements and diligent efforts to
2 ascertain the status of the application, the Defendant has failed to fulfill its duty by unreasonably
3 delaying the adjudication of the visa application submitted on behalf of Plaintiff's spouse. This
4 failure has resulted in undue hardship, emotional distress, and prolonged separation for Plaintiff
5 and their family, with no resolution or explanation provided by the Defendant.

6 Plaintiff has no adequate remedy at law to compel the Defendant to fulfill its duty in a timely
7 manner. Therefore, Plaintiff is entitled to relief in the form of a Writ of Mandamus, compelling
8 the Defendant to promptly process the immigrant visa application and fulfill its statutory
9 obligation.

10 WHEREFORE, Plaintiff respectfully requests that this Court:
11 Issue a Writ of Mandamus directing the United States Department of State to promptly adjudicate
12 the immigrant visa application submitted on behalf of Plaintiff's spouse, Amin Alikhani, and to
13 fulfill its duty to process the application in accordance with the immigration laws and regulations
14 of the United States. Grant Plaintiff such other and further relief as the Court deems just and
15 proper, including but not limited to reimbursement of any costs and expenses incurred in
16 prosecuting this action, and any other relief deemed appropriate to remedy the harm suffered by
17 Plaintiff and their family due to the Defendant's unreasonable delay in processing the visa
18 application.

19 Respectfully submitted,
20

21 
22 [Your Signature]
23

24 [shadab alipour]
25

26 [Date]
27

28 03/10/2024